

## BEFORE

## THE PUBLIC SERVICE COMMISSION

**OF SOUTH CAROLINA**

**DOCKET NO. 2015- -C**

IN RE:      Petition of the South Carolina Office of )  
             Regulatory Staff For the Commission to )  
             Order a Rule to Show Cause as to Why the ) **PETITION OF THE SOUTH**  
             Certificates of Public Convenience and ) **CAROLINA OFFICE OF**  
             Necessity For Certain Providers of the ) **REGULATORY STAFF FOR**  
             Telecommunications Services Should Not ) **A RULE TO SHOW CAUSE**  
             Be Revoked )

The South Carolina Office of Regulatory Staff (“ORS”), by filing this petition, would respectfully show and request of the Public Service Commission of South Carolina (“Commission”) that:

1. The Commission is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina. Further, the Commission is responsible for the regulation of telephone utilities operating for compensation as set forth in S.C. Code Ann. § 58-9-10, et seq. (Supp. 2014).
2. ORS is charged with the duty to protect the public interest pursuant to S.C. Code Ann. § 58-4-10, et seq. (Supp. 2014).
3. The Telecommunications Companies (“Companies”) listed in Exhibit A, Exhibit B, Exhibit C, and Exhibit D are certificated “telephone utilities” as defined in S.C. Code Ann. § 58-9-10(6) (1976) in that they are persons or corporations, their lessees, assignees, trustees, receivers or other successors in interest owning or operating in this State equipment or facilities

for the transmission of intelligence by telephone for hire, including all things incident thereto and related to the operation of telephones.

4. The Companies listed in Exhibit A, Exhibit B, Exhibit C, and Exhibit D are subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. § 58-9-710, et seq. (Supp. 2014). Further, they have submitted themselves to the jurisdiction of the Commission by their holding a Certificate of Public Convenience and Necessity as indicated in Exhibit A, Exhibit B, Exhibit C, and Exhibit D.

5. The Telecommunications Companies listed in Exhibit A, Exhibit B, Exhibit C, and Exhibit D upon receiving their Certificates of Public Convenience and Necessity, were found to possess the technical, financial, and managerial resources sufficient to provide the services requested. S.C. Code Ann. § 58-9-280(B)(1) (Supp. 2014).

6. Pursuant to S.C. Code Ann. §§ 58-3-100, 58-3-540, 58-4-60, and 58-9-370 (Supp. 2014), the public utilities subject to the Commission's jurisdiction are assessed by the Department of Revenue based on amounts that are certified by the Commission, the review committee, and ORS to be assessed. ORS may require reports and special reports concerning any matter about which the ORS is authorized to inquire or keep itself informed or which it is required to enforce.

7. The Companies listed in Exhibit A have failed to submit the requisite gross receipts filings. The Companies are required to submit their Gross Receipts form on August 31st annually.

8. ORS has the responsibility to ensure that telephone utilities are filing certain reports. "Subject to the approval of the commission, the Office of Regulatory Staff may require any telephone utility to file annual reports in such form and of such content as the Office of

Regulatory Staff may require and special reports concerning any matter about which the Office of Regulatory Staff is authorized to inquire or keep itself informed or which it is required to enforce.” S.C. Code Ann. § 58-9-370(A) (Supp. 2014).

9. The Companies listed in Exhibit B have failed to submit the requisite 2013 Annual Report that was due on April 1st.

10. The Universal Service Fund (“USF”) is administered by the ORS under guidelines adopted by the Commission. S.C. Code Ann. § 58-9-280(E) (Supp. 2014).

11. The Commission USF guidelines approved in Order No. 2011-996, requires each carrier to file on an annual basis the information necessary to allow ORS to calculate the carrier’s contribution. The annual filing is referred to as the Universal Service Fund Contribution Worksheet (“USF Report”).

12. The Companies listed in Exhibit C have failed to submit the requisite USF Report that was due on July 1st.

13. All telephone utilities carriers receiving authority to operate in the state since 1996 have been required to and have agreed to support universal service in the State of South Carolina.

14. Pursuant to Commission Order No. 2005-7, dated January 11, 2005, the ORS was designated the Administrator of the Universal Service Fund. As part of the ORS responsibilities as administrator, the ORS bills and collects universal service support.

15. The Companies listed in Exhibit D have outstanding Universal Service Fund support payments which are dated significantly greater than 90 days.

16. In addition to the typical notification concerning the requirement to file the required reports and payments, the ORS has made follow-up notification to the carriers concerning non-compliance with Commission requirements.

17. The information for the business entities listed in Exhibit A, Exhibit B, Exhibit C, and Exhibit D accurately reflects the information on file with the South Carolina Secretary of State. See Exhibit E, Affidavit of James McDaniel.

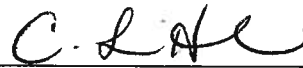
18. “Each telephone utility shall obey and comply with each and every requirement of every order, decision, direction, rule or regulation made or prescribed by the Commission and every direction, rule or regulation made or prescribed by the Office of Regulatory Staff in the performance ... or in relation to any other matter in any way relating to or affecting the business of such telephone utility and shall do everything necessary or proper in order to secure compliance with and observance of every such order, decision, direction, rule or regulation by all of its officers, agents and employees.” S.C. Code Ann. § 58-9-390 (Supp. 2014).

19. Pursuant to S.C. Code Ann. § 58-9-1120 (Supp. 2014), “the Commission may ... conduct such other hearings as may be required in the administration of the powers and duties conferred by Articles 1 through 13 of this chapter and by other laws relating to telephone utilities.”

**WHEREFORE**, the ORS staff prays that the Honorable Commission:

1. Enter an order establishing a Rule to Show Cause instituting a formal proceeding against the persons and business entities listed in Exhibit A, Exhibit B, Exhibit C and Exhibit D.

2. For the persons and business entities listed in Exhibit A, Exhibit B, Exhibit C and Exhibit D, pursuant to 10 S.C. Code Regs. 103-830 (Supp. 2014), cause a copy of this petition to be served upon such named respondents or other proper person or entity.
3. Require the parties to submit an Answer to this Petition within the deadlines prescribed by the Commission's rules and regulations.
4. Schedule and conduct a formal administrative hearing to address disputed issues of fact and law regarding the Certificate pursuant to S.C. Code Ann. § 58-9-820 (Supp. 2014).
5. Find that the Companies listed in Exhibit A, Exhibit B, Exhibit C and Exhibit D have not complied with orders, decisions, directions, rules and regulations made or prescribed by the Commission.
6. Enter a final order canceling the Certificates held by the Companies listed in Exhibit A, Exhibit B, Exhibit C and Exhibit D.
7. Take other appropriate action which the Commission may deem necessary.



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C. Lessie Hammonds , Esquire  
**South Carolina Office of Regulatory Staff**  
1401 Main Street, Suite 900  
Columbia, South Carolina 29201  
Phone: (803) 737-0803  
Fax: (803) 737-0895  
Email: lhammon@regstaff.sc.gov

January 22, 2015  
Columbia, South Carolina

**Docket No. 2015- -C**  
**Rule to Show Cause Telecommunications Carriers Non-Compliant with Gross Receipt Report 2014**

**January 22 ,2015**

#	Company Name	DBA	Certificate Type	Address	City	State	Zip	Docket #	Order #	Date Certified	Secretary of State Standing
1	Genesis Telecommunications Company, LLC		CLEC IXC	PO Box 675	Greenwood	SC	29648	2000-350-C	2000-873	10/27/2000	No results
2	Go-Solo Technologies, Inc.		IXC	5410 Mariner St, Ste 175	Tampa	FL	33609	2004-17-C	2004-427	9/9/2004	Forfeiture
3	Image Access, Inc.	New Phone	CLEC IXC	7324 Southwest Freeway, Ste 475	Houston	TX	77074	1999-269-C 2004-205-C	1999-762 2004-564	10/26/1999 11/12/2004	Good Standing
4	Network Billing Systems, Inc.		IXC	155 Willowbrook Blvd.	Wayne	NJ	07470	1998-478-C	1999-213	3/24/1999	Good Standing
5	TQC Communications Corporation		IXC	3000 Immokalee Road, Suite #1	Naples	FL	34110	2006-38-C	2006-304	5/26/2006	Good Standing
6	North Blvd. Shopping Center		PSP	1070 Blvd NE	Orangeburg	SC	29115	1985-150-C	1986-1119	10/29/1986	No results
7	Payphone Partners, Inc.		PSP	2520 Sardis Rd N, Ste 100	Charlotte	NC	28227	1985-150-C	1999-586	8/19/1999	Good Standing
8	Suntel		PSP	PO Box 397	Camden	SC	29020	1985-150-C	1990-509	5/9/1990	

**Docket No. 2015- -C**  
**Rule to Show Cause Telecommunications Carriers Non-Compliant with USF Report 2014**

**January 22, 2015**

#	Company Name	DBA	Certificate Type	Address	City	State	Zip	Docket #	Order #	Date Certified	Secretary of State Standing
1	Cypress Communications Operating Company, LLC		CLEC IXC	1950 N Stemmons Fwy, St 3031	Dallas	TX	75207	2009-410-C 2002-252-C	2009-863 2003-145	12/15/2009 3/17/2003	Good Standing
2	Genesis Telecommunications Company, LLC		CLEC IXC	PO Box 675	Greenwood	SC	29648	2000-350-C	2000-873	10/27/2000	No Results
3	Go-Solo Technologies, Inc.		IXC	5410 Mariner St, Ste 175	Tampa	FL	33609	2004-17-C	2004-427	9/9/2004	Forfeiture
4	TQC Communications Corporation		IXC	3000 Immokalee Road, Suite #1	Naples	FL	34110	2006-38-C	2006-304	5/26/2006	Good Standing

**Docket No. 2015 -C**  
**Rule to Show Cause- Telecommunications Carriers Non-Compliant with Annual Report 2014**

**January 22, 2015**

#	Company Name	DBA	Certificate Type	Address	City	State	Zip	Docket #	Order #	Date Certified	Secretary of State Standing
1	Coast International, Inc.		IXC	14303 West 95th Street	Lenexa	KS	66215	1990-373-C	1990-1057	10/29/1990	Forfeiture
2	Genesis Telecommunications Company, LLC		CLEC IXC	PO Box 675	Greenwood	SC	29648	2000-350-C	2000-873	10/27/2000	No results
3	Go-Solo Technologies, Inc.		IXC	5410 Mariner St, Ste 175	Tampa	FL	33609	2004-17-C	2004-427	9/9/2004	Forfeiture
4	Nextlink Wireless, LLC		CLEC IXC	13865 Sunrise Valley Dr	Herndon	VA	20171	2006-70-C	2006-369	6/9/2006	Good Standing
5	TQC Communications Corporation		IXC	3000 Immokalee Road, Suite #1	Naples	FL	34110	2006-38-C	2006-304	5/26/2006	Good Standing



**Docket No. 2015- -C**  
**Rule to Show Cause - Telecommunications Carriers Non-Compliant with Support of Universal Service**

**January 22, 2015**

#	Company Name	DBA	Certificate Type	Address	City	State	Zip	Docket #	Order #	Date Certified	Secretary of State Standing
1	ComTech21, LLC		CLEC IXC	1 Barnes Industrial Rd. S	Wallingford	CT	06492	2004-54-C	2004-312	6/30/2004	Good Standing
2	Genesis Telecommunications Company, LLC		CLEC IXC	PO Box 675	Greenwood	SC	29648	2000-350-C	2000-873	10/27/2000	No results
3	Image Access, Inc.	New Phone	CLEC IXC	c/o Dana Hoyle, Regulatory Consultant, 7324 Southwest Freeway, Suite 475	Houston	TX	77074	1999-269-C	1999-762	10/26/1999	Good Standing

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2015- -C**

January 22, 2015

IN RE: Petition of the Office of Regulatory )  
Staff for Commission to Order a Rule )  
to Show Cause as to Why the )  
Certificate of Public Convenience and ) **AFFIDAVIT OF JAMES M. MCDANIEL**  
Necessity for Certain Providers of )  
Telecommunications Services Should )  
Not Be Revoked )

The Affiant, after having been first duly sworn, deposes and states as follows:

- 1) My name is James M. McDaniel, and I am employed by the Office of Regulatory Staff ("ORS") as the Program Manager.
- 2) My office is located at 1401 Main Street, Columbia, South Carolina, 29201.
- 3) I and/or personnel under my direction researched the South Carolina Secretary of State's website in order to determine the corporate status of the business entities listed in Exhibit A, B, C, and D of this petition.
- 4) I attest that, to the best of my knowledge, the corporate statuses of the business entities listed in Exhibit A, B, C, and D are accurate.

AND FURTHER THE AFFIANT SAYETH NOT.



**JAMES M. MCDANIEL**

Program Manager

Telecommunications Area

**South Carolina Office of Regulatory Staff**

1401 Main Street, Suite 900

Columbia, South Carolina 29201

Sworn and subscribed before me  
this 22<sup>nd</sup> day of JANUARY, 20 15



Notary Public for South Carolina

My Commission Expires: \_\_\_\_\_

**FAITH SHEHANE**

**Notary Public, State of South Carolina**

**My Commission Expires 8/1/2022**

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2015- -C**

IN RE: Petition of the South Carolina Office of )  
Regulatory Staff For the Commission to )  
Order a Rule to Show Cause as to Why the )  
Certificates of Public Convenience and ) **CERTIFICATE OF**  
Necessity For Certain Providers of the ) **SERVICE**  
Telecommunications Services Should Not Be )  
Revoked )

This is to certify that I, Faith E. Shehane, have this date served one (1) copy of the **PETITION FOR A RULE TO SHOW CAUSE** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

[PLEASE SEE COMPLETE LIST OF PARTIES SERVED ON THE FOLLOWING PAGES]

  
Faith E. Shehane

January 22, 2015  
Columbia, South Carolina

Genesis Telecommunications  
Company, LLC  
PO Box 675  
Greenwood, SC 29648

Go-Solo Technologies, Inc.  
5410 Mariner St, Ste 175  
Tampa, FL 33609

Image Access, Inc.  
D/B/A New Phone  
7324 Southwest Freeway, Ste 475  
Houston, TX 77074

Network Billing Systems, Inc.  
155 Willowbrook Blvd.  
Wayne, NJ 07470

TQC Communications Corporation  
3000 Immokalee Road, Suite #1  
Naples, FL 34110

North Blvd. Shopping Center  
1070 Blvd NE  
Orangeburg, SC 29115

Payphone Partners, Inc.  
2520 Sardis Rd N, Ste 100  
Charlotte, NC 28227

Suntel  
PO Box 397  
Camden, SC 29020

Cypress Communications Operating  
Company, LLC  
1950 N. Stemmons Fwy, St 3031  
Dallas, TX 75207

Coast International, Inc.  
14303 West 95th Street  
Lenexa, KS 66215

Nextlink Wireless, LLC  
13865 Sunrise Valley Dr  
Herndon, VA 20171

ComTech21, LLC  
1 Barnes Industrial Rd. S  
Wallingford, CT 06492